S . H-27—60,000—17-11-48

E & P.H (1949) Department.

Ms. SERIES.

G.C. NO.Ms. 1010 Edn.

Dated 6-4-49.

closed

um

supdt

15

[Despatch Abstract]

Land Acquisition - Mangalore Taluk - Kankanady village - Acquisition of certain sites for school building, boarding house and playground for the capitanio Secondary and Training School - Notification under Section 4(1) - Published

To,
The Hon'ble,
The Premier of Madras.

SECRETARY, EDN. AND H. H. DEPT. :: 29 SEP 1948 :: GOVERNMENT OF MADRAS

From,
The Correspondent,
Capitanio Secondary & Training School,
Kankanady P.O.
Mangalore.

30 SEP 1948

Ref.No.1.C. 72818 Dated 21-9-1948.

Honoured Sir,

Sub: Land Acquisition-Mangalore Taluk-Kankanady Village Acquisition of certain sites for school building, boarding house and playground for the Capitanio Secondary & Training School, Kankanady.

Ref: Government of Madras-Education and Public Health Department. Memorandum No.9543 BI/48-7 dated 14th.August 1948.

I humbly beg to put before you the following with reference to the land acquisition of our school. The Capitanio Secondary and Training School is situated just outside the Mangalore municipality and caters to the needs of poor children coming from the villages. Our school was started in 1940 with Forms I - III, and by 1946 it was a fully fledged high school, from class I to Form VI with a Secondary Training Department attached to it. At present the strength of the school is more than 350, and will rapidly increase every year. The temporary recognition last granted to the school expired in May 1948. Application for extension of recognition was made in February 1948, but it has not yet been granted, as the school does not possess sufficient playground area. The Educational Department requires us to have immediately three acres of playground, which is to be extended to five acres within a period of three years. The school at present possesses only about an acre of playground. Land is also required for putting up a school building as accommodation is insufficient. Great need is also felt to have a boarding house for which the school does not possess land at present.

Private negotiations with the owners for acquiring the required land were futile, as they demanded an exhorbitant price of Rs 30,000 an acre. Hence recourse was had to Government under the land acquisition act. The sites for acquisition were recommended by both the Director of Public Instruction (Ref.Dis No.2379/47 dated 14-5-'47) and the Collector of South Kanara District (Ref.C.No. 17175/47 BI dated 5-2-'48). But Government did not permit their acquisition on the grounds that they were III class wet lands. We were therefore asked to select a fresh site which does not include wet lands. And it is just here our difficulty arises. It will be seen from the enclosed site plan that the school is surrounded on all sides by wetlands. Sites S.Nos.33/2B2C and No.33/3A1, the acquisition of which is objected to, are on a higher level than the surrounding sites; and they grow only one crop a year which is solely dependant on the monsoons. Whereas the other sites are wet lands of a superior quality growing even more than one crop a year. The circumstances being such we are absolutely at a loss in selecting any other site which does not include wet lands.

The management is eager to comply with the requirements of the Educational Department regarding playground and accommodation; and as these are made a condition for the extension of recognition, the management will be grateful to you if you kindly reconsider the matter.

We had been to you personally on the 15th. of September '48 along with Mr.L.C.Pais, our represntative in the Legislative Assembly to explain our difficult position and you were kind enough to give us a very patient and sympathetic hearing, at the close of the interview you kindly suggested to us that our difficulties may again be put into writing, where you would have an opportunity of going through the matter once again. We fully trust and humbly pray you to consider our case sympathetically and pass favourable orders, so as to enable us to comply with the requirements of the Educational Depart-

Index. (True Copy)

Mangalore Taluk No. 84/B Kankanady Village

S. No.	Sub. D. No.	Kesam	Extent A.	Extent C.	Assessment R.	Assessment A.	No. and Name of the Pattadar	Remarks.
29	1.A	Pov.	3	28			—	Local Fund. Road and Road margin land Tax.
33	1	Wet III		88	5	15	23 Lord Bishop V. R. Fernandes.	
	2.C.	Wet III		45	3	1	23 Do - Do Do.	B.C. S Land Building.
32	6.A	Wet III		21	1	3	23 Do - Do Do	
33	5 A	Garden	1	23	4	2	46 A. Kantappa.	
	5B	Wet III		85	5	12	46 A. Kantappa	
	2.A	Wet III	1	83	12	6	46 A. Kantappa	
33	6	garden		23	1	5	46 A. Kantappa	
38	2B/2	Wet III	3	09	20	14	115 A Bhandappa (1) A. Chinappa. Durgamma (2) Lord Bishop. V.R. Fernandes (4)	Middle Portion Extent 0.C. 72 belongs to Lord Bishop V.R Fernandes. A. School Building
33	3B	Dry	1	.	1	.	115 Do - Do - Do.	North western portion Extent H. 0.C. 15 belongs to Lord Bishop V.R Fernandes.
33	7.B.	Garden		35	2	.	115 Do Do - Do	
33	7A	Do		17	.	15	164 Digony D'Souza	
33	2/1	Wet III		34	2	5	164 Digony D'Souza	
35	1	Wet III	3	12	14	1	41 Kootiu Hengsu (1) Padmavati Hengsu (2)	
35	2	Garden		34	1	15	41 Do . Do Do.	
33	3.A	Wet III	1	.	3	6	41 Do Do - Do	
35	3	Wet I	2	22	25	.	41 Do Do. Do	
33	3C	Dry		68	.	11	156 Sebastian Souza	
3	4	Wet III	1	36	9	3	92 Shankara Hengsu	
33	5	Garden		10	.	9	92 Do	
34	3	Pow		62	-	.	. --	
3	4	Garden		17	.	9	156 Sebastian Souza	
3	5	Wet III	1	16	6	8	156 Do	
3	10	Garden		20	.	7	156 Do	
32	8	Garden		70	3	15	156 Do	
32	9	Wet III		33	2	4	156 Do.	
32	6.B	Wet III	2	34	13	3	14 Subba Rao (1) Rama Rao (2)	
32	7	Garden		8	.	9	14 Harischandra Rao, Saraswathi guardian for minor Subbanna Do - Do Do.	

Details of the proposed plots for the use of the school

S. No. 33-2/B2C - Eastern Portion : A. C. 1-07

33-3/A1 - Northern Portion : 0-71

33-3B2 - Eastern and middle Portions : 0-53

33-3C1 - Western Portion = 0-20

Total : 2-51

Proposed plots for the use of the school.

Education & Public Health
(B,) Department.

Endorsement No. 72818 B, /48-1 Edn. d/ 7-10-48

Referred to the Collector of South Kanara
for very early remarks

(By order)

V. Ramamurthy
Assistant Secretary to Govt.

1/10/48
21/10/48

To

The Collector of South Kanara District.
Mangalore

1909-48 (55)

SPECIAL

Nr. Ref: B1 - 20840 - 48

forwarded to the Revenue Divisional Office, Mangalore for urgent remarks.

REVENUE DIVISIONAL OFFICER
MANGALORE

22 OCT 1948

for collector.

15.10.48

Special

Nr. Ref no 6296/48 D

Forwarded to the Tahsildar Mangalore for immediate remarks on para 3 of the petition. It should be definitely reported as to whether there is any reasonable ground to relax the rule as a special case. (Petitioner's Nr. D.Dis 3273.4) sent with this office Ref no 2803.48 dt 15.10.48 should also be submitted

for
Revenue Divisional Officer
Mangalore

express —

NIEL. 17909. 48. B

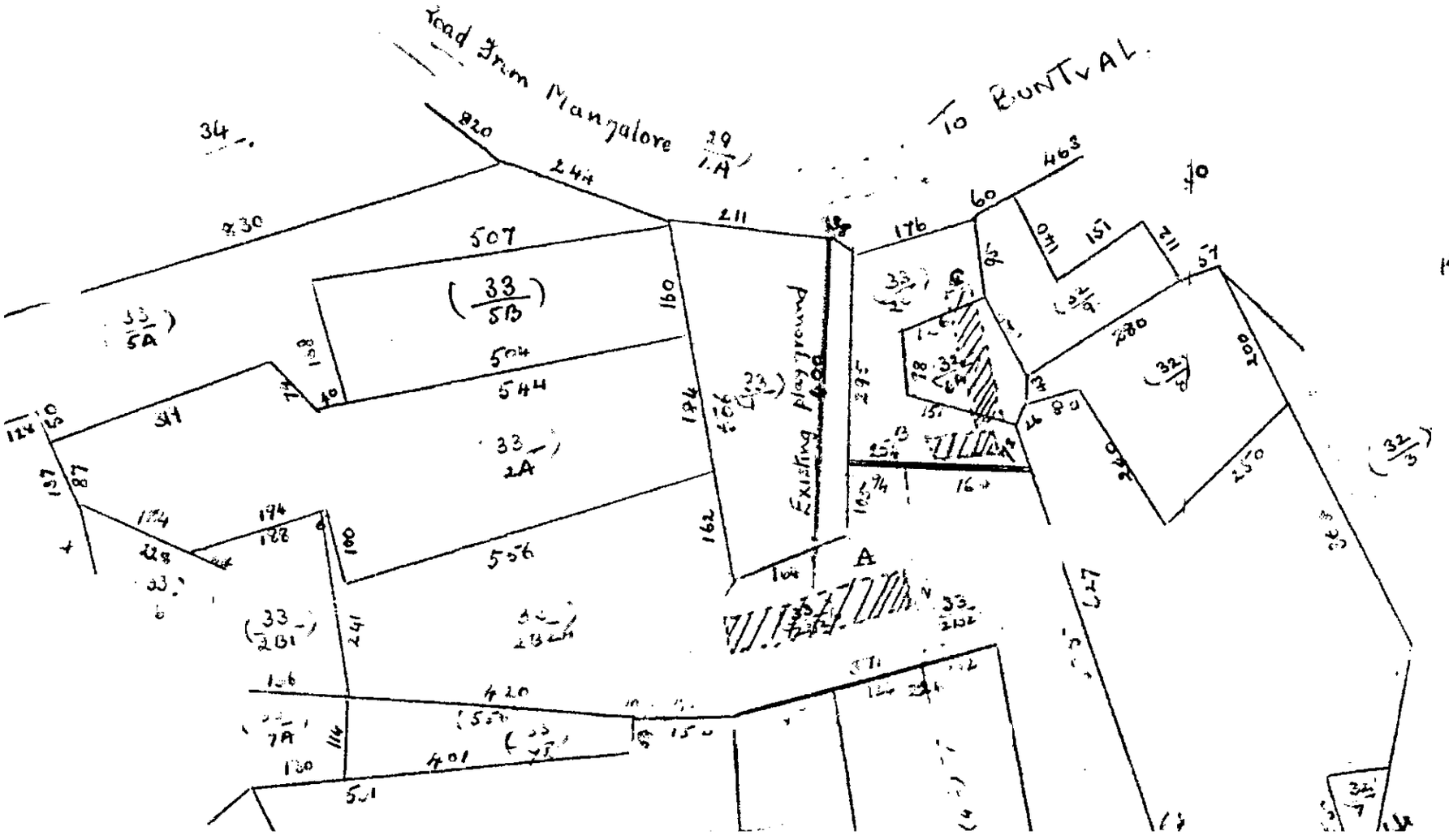
For warden to Rec. Inst (B) for immediate action.

N. Parkinson

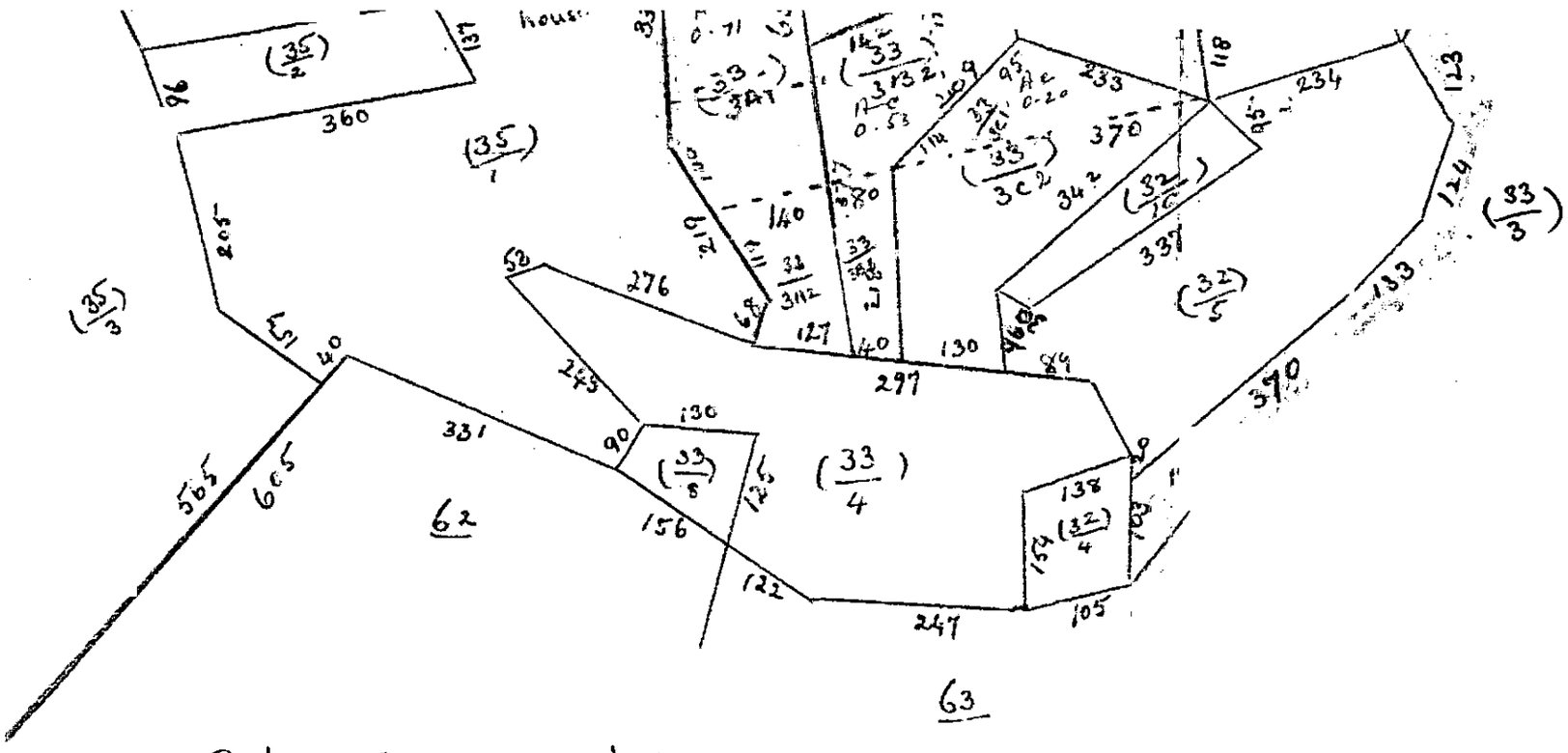
For Tainsides.

Kandeman
12/11/48 (7 P.M.)

(True Copy.)



		A	
For School	=	0	1
For Anganwadi		0	00
Remaining for playground	=	1	16
Total to be acquired		2	17



Scale ½ Inch = one chain.

Details of the proposed plots for the use of the School.

		A. C.
S. No. 33 - 3B2c	Eastern Portion =	1 · 07
a No. 33 - 3A1	Northern portion	0 · 71
" " 33 - 3B2	- Eastern and middle portion :	0 · 53
" " 33 - 3C1	- Northern portion :	0 · 20
Total		2 · 51

Proposed plots for the use of the School.

Impd
(4 19"/44
R.J (HP)

True Copy forwarded
Sd/- Felix Alangaram
Correspondent
28-9-'48

L.Dis 17909-48

Talnk Office
Mangalore 5. 48

From

Sri K. Devendra
Tahsildar. Mangalore

To

The Revenue Divisional Officer
Mangalore

REVENUE DIVISIONAL OFFICER
MANGALORE

Sir,

Land Acquisition - Mangalore Talnk - Kankanady Village etc for the Capitanio secondary training School - Survey report - Submitted.

Ref: RNej 6296-48-D of the Revenue Divisional Officer, Mangalore

S. Nos. 33/2B2C and 33/3A1 of Kankanady Village stand registered as Cultivation and are surrounding a hill. than the surrounding sites and depend on rain water for the first crops that is being raised on them. They are reported to be very fertile and during these days of acute food shortage, it is not desirable to acquire them for the school purposes.

2 S. Nos. 33/2B2 and 33/3A1 of the same village and which are very close to the school stand registered as Dry. They are adjacent to each other. The former is 0.53 acres and the latter is 0.20 acres in extent. It seems

that these two plots would meet the immediate needs of the school. The school authorities can buy to secure them by private negotiation and the question of acquisition can be considered if private negotiations fail.

3 The memorial of the Correspondent of the School received with the Rev. Dive officer Nlej 6296/48 dt. 22.10.48 is enclosed This office report Nlej 16459/48 dt. 29.x.48 on the Rev. Divisional Officers Nlej. C No. 2863/47 dt- 21-9-1948 which was withheld pending enquiry in the present reference is also submitted herewith. The records of D. Nos 3273/47 received in this office with The Revenue Divisional Officers Nlej 6296/4 dt- 22.x.1948. relate to land acquisition case of Bajpe village

Yours faithfully

K Chinnu 15/11/48

For Tahsildar

N. Ref ens 6296-48-D

Returned to the Tahsildar mayalam

In para 2 of his report No ens 17909/48-D1 15-11-48 it is seen that Nos 38/3B2 and 38/1 of the same village which stand registered as Dry would meet the immediate needs of the school and the school authorities can buy to secure them by private negotiation

18914-48-B1

The Tahsildar will note that the above two subdivisions are already included in the land acquisition proposals as can be seen from the ~~index~~ sketch in the eyesketch

The Tahsildar is therefore requested to inspect the plot personally and report whether any other alternate vacant dry lands are available

He is also requested to verify whether food crop is actually grown at present and if not whether there is scope for growing paddy cultivation in such dry subdivisions

As the reference is from Government the Tahsildar is requested to submit his reply by 30-11-48 at the latest

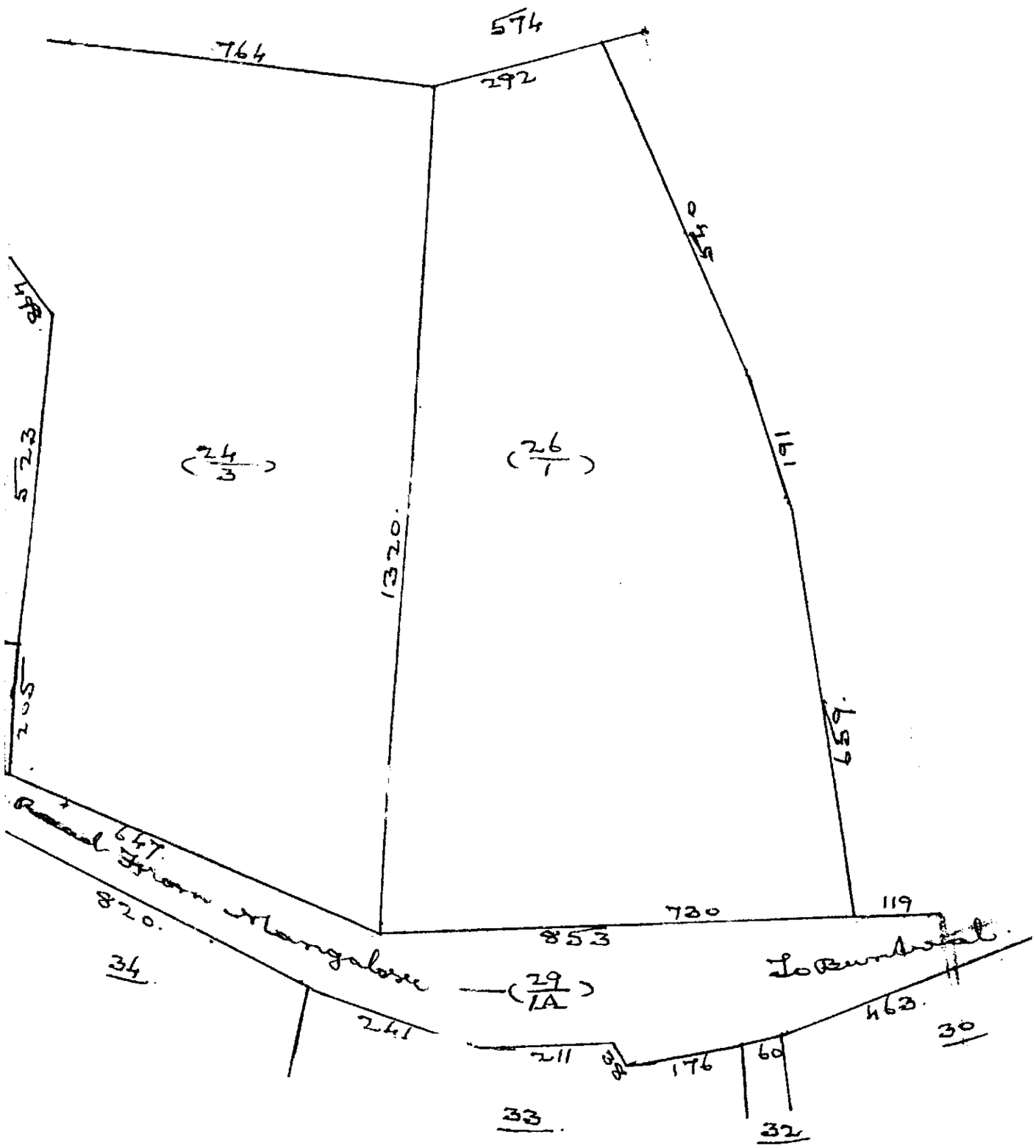
Sd/-
Rev Divisional Officer
mayalam

O/C
This may be marked
Sd/-
27.11

Mr. Nair put up
Sd/- 29.11.48

27/29/11/48

District. South Canara.
Tal. to. Mangalore. Village { Sy. No. 84/B; Name. Kanka



Scale 1/2 Inch = One Chain

Index.

(15)

N. Dis 1894-48

Resubmitted to the Revenue Divisional Officer, Mangalore.

The locality was inspected by me on 4-12-1948. There are no other dry vacant land in the vicinity which can be rendered fit for a playing ground. On the northern side and opposite the existing school there are two plots. They are S. No. 24/3 and 26/1. The former stands registered as dry. It is a Kopy-hill and there are several houses on it. S. No. 26/1 which has been registered as Bhagayat also has a large number of houses. The cost of acquiring these plots and levelling them would be prohibitive. The question of scarcity of houses also has to be considered. A sketch of these plots is enclosed.

2. There is no standing crop on plots proposed to be acquired. They are classed under III and only one crop is raised. There is of course not much scope for raising more crops. The total yield also can be reckoned as negligible when weighed against the needs of the school.

18.12.48
Tahsildar
18/12

N. Dis 6296/28

Re-submitted to the Collector, Nairobi Kenya
21- On the Circumstances
detailed by the Petitioner, the acquisition
of the said Land ~~acquired~~ by the
Correspondent in this petition to the
Premises of Madras may be treated
Thro' as a special case especially the
in Lieu on the acquisition of said Lands
for the purpose of building

Sgd
Rec'd Dist Officer.

2/2/28

2/2/28

17

L.dis.20840/48. S.K.Collector's Office,
Mangalore, dated 8.1.49.

From

S.R. Kaimar Esq., M.A., I.C.S.,
Collector of South Kanara,
MANGALORE.

17 JAN 1949

The Secretary to the Government,
Education and Public Health (B1) Department,
M A D R A S.

Sir,

LAND ACQUISITION - South Kanara District- Mangalore Taluk- Kankanady village- Acquisition of certain sites for school building, boarding house and playground for the Capitanio Secondary and Training School Kankanady- Exclusion of wet lands- Memorial to Government-Remarks- Report submitted.

****

Ref: 1. From the Government of Madras, Education and Public Health Department, Memorandum No.9543-B1-48-7 dated 14.8.48.

2. Petition dated 21.9.48 of the Correspondent Capitanio Secondary and Training School, Kankanady to the Hon'ble the Prime Minister of Madras received with Endorsement No.72813-B1/48-1 dated 7.10.48 of the Government of Madras, Education and Public Health Department.

**

The correspondent, Capitanio Secondary and Training School, Kankanady had applied for the acquisition of the sites marked as 33/2B2C, 33-3A1, 33/3B2 and 33-3C1 in the eyesketch for school building boarding house and playground for the capitanio Secondary and Training School. Draft 4(1) notification for the acquisition of the plots was submitted with this office Ref.C.No. B1.17173-47 dated 5.2.48. On this the Government in their order cited 1st above stated that, as 33/2B2C and 33/3A1 are wet lands, the Government were unable to permit their acquisition and directed the correspondent of the Capitanio Secondary and Training school to select some other site which does not include wet lands.

2/- The petition is a memorial against the order referred to in para 1 above. The main points urged in the petition are that the school is surrounded on all sides by wet lands, that S.Nos. 33/2B2C and 33/3A1 are on a higher level than the surrounding sites and grow only one crop a year which is solely dependent on the monsoons and that on the other hand the other sites are wet lands of a superior quality growing even more than one crop a year. In these circumstances the correspondent states that she is unable to select any other site which does not include wet lands.

3/- The Tahsildar, Mangalore, who inspected the locality reports that there are no other dry vacant lands in the vicinity which can be rendered fit for a playground. He states that on the southern side opposite the existing school there are two plots viz. S.Nos. 24/3 and 26/1 of Kankanady village. S.No. 24/3 is a dry land and S.No. 26/1 a garden, S.No. 24/3 is reported to be slopy and both S.Nos. 24/3 and 26/1 are reported to contain a large number of houses. The cost of acquisition and levelling of these plots is considered to be heavy and their acquisition may also effect the housing problem in Mangalore. The plots S.Nos. 33/2B2C and

P.T.O.

33/3A1 of Kankanady village are single crop wet lands without much scope for raising more crops. The yield from the same is also considered to be negligible. In view of these facts I venture to submit that the plot S.Nos.33/2B2C and 33/3A1 may be acquired as being necessary for the school.

4/- The records of enquiry are enclosed.

Yours faithfully,

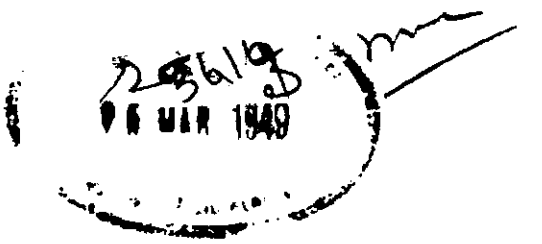
S. Shenoy
10.1.64
For Collector.

K.V./8.1.

9/1

19

From,
The Correspondent,
Capitanio Secondary and Training School,
Kankanady, Mangalore.



To,
The Secretary to Government,
Education and Public Health Department,
Madras.

Ref.No. I C. dated 2I - 3 - '4

Honoured Sir,

Sub.: Land Acquisition - Mangalore Taluk - Kankanady village - Acquisition of certain sites for school building, boarding house, and play ground for the Capitanio Secondary and Training School, Kankanady.

Ref.: From the Collector of South Kanara Ref. L. Dis 208 40/48 dated 6-I-'49.

I humbly beg to approach you on the above subject. We are in great difficulties regarding our school. Our accommodation and play area at present are insufficient. According to the conditions laid down by the D.P.I. both these have to be provided before application is made for the renewal of recognition, for the year '49 to '50.

We have long been moving in the matter. Application for the acquisition of land was first made on I2-3-'49. But we have not yet succeeded in the matter. In accordance with Govt. Endt. No. 72818 B/48 - I dated 7-I0-'4 the revenue authorities had been here several times to inspect the land and see whether any dry land was available in the vicinity for the use of the school. But they found none. As the matter is a pressing one, I went many times to the office and was informed that the Collector had reported the matter to Govt. in his L.Dis. 20840/48 dated 6-I-'49. I trustt you will be good enough to take up the question as early as possible and issue favourable orders. Plans and estmates of the building we have to put urgently have already been committed to the D.P.I. on I4-9-'48. But we are not able to proceed any further, as the land on which the building has to be put up, has not yet been acquired.

I therefore beg of you to be good enough to comply with my request as early as possible. I shall be very grateful to you for a few li in reply on the matter, so that I may be able to assure the D.P.I. that t land will be soon acquired and the building put up immediately the orders received.

Awaiting an early and favourable reply and humbly thanking -

I remain sir,

Yours faithfully,

Sr. M. Felix Albuquerque.

Correspondent.

Edn(Bt)

C.M. 72818 B, 1/48

Land Acquisition – Mangalore Taluk – Kankanady village – Acquisition of certain sites for school building, boarding house and playground for the Capitanio Secondary and Training School – notification under Section 4(1) – Published

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pf From the Collector of South Kanara Ref. no Bt/17173-47 dt 6.2.48

pf of in (2) Memo no 9543 Bt/48-7 Edn dt 14.8.48

pf of From the Correspondent Capitanio Secondary School dt 21.9.48

pf of From the Collector of S. Kanara – Dis 20845/48 dt 6.1.49

Order / Ms no 1010 Education 6.4.49

In the circumstances stated, the Govt accept the recommendation of the Collector of South Kanara that IIIrd class wetlands S.Nos 33/2B 2c & 33/3A-1 to the extent of 1.78 acres may be acquired for the Capitanio Secondary and Training School Kankanady.

2. The attended notification under Section 4(1) of the Land Acquisition Act for the acquisition of the land required for the Capitanio Secondary & Training School Kankanady, for purpose of school building, Boarding house & playground will be published in the Fort St George gazette

3 A contribution of one anna is sanctioned from Provincial funds towards the cost of acquisition

24.3.49 25/3/49

To
The Collector of S. Kanara
.. DPI
.. AG
.. S.C.P for publication in the F.S.G with copy of notification on p 3 of (2)

E & P.H. (B,)

Land Acquisition - South Kanara District - Mangalore Taluk - Kankanady village - Acquisition of certain sites for school building, boarding house and playground for the Capitanio Secondary and Training School, Kankanady

—

Read:- Memo No. 9543 B,/48-7 Edn dt. 14-8-48

—

From the Correspondent, Capitanio Secy & Trg School d/21.9.48.

.. the Collr. of South Kanara L.Dis 20840/48 d/6.1.49.

—

At the instance of the Secretary of the Parish Union of the Diocese of Mangalore, the collector of South Kanara submitted proposals for the acquisition of certain sites for the purpose ~~in~~ of extension of the school building, boarding house and playground for the Capitanio Secy. and Trg. School, Kankanady. As the proposals involved the acquisition of 1·78 acres of class III wet lands ~~it was decided~~ ~~order was obtained~~ in circulation ~~that the proposals about the training school~~ be negatived. ~~proposals~~. The collector of South Kanara was informed accordingly and he was directed to invite suggestions from the correspondent of the school for the selection of an alternative site not involving wet lands.

2. The correspondent of the School has since represented that ~~there~~ the school is surrounded by wet lands of even a better quality than the class III wet lands, the acquisition of which was turned down. He therefore requests that the ~~a~~ original proposals may be allowed to go forward. The collector of South Kanara in his report remarks that the ~~four~~ two pieces of dry land in the locality are uneven and that they contain a large number of houses. ~~He [illegible] of the~~ The acquisition of these sites is likely to be very costly and will also intensify the housing

problem and hence the Collr. is averse to the acquisition of these two plots of dry lands. The yield from the 1·78 acres (S Nos 33/2B2C and 33/2A1) of class III wet lands is reported to be confined to a single crop and hence the collector recommends that the original proposals for acquisition may go forward ppl-2cf of (Z)

In these circumstances, it is for consideration whether the proposals ~~initiated~~ for the acquisition of ~~wet~~ ~~lands~~ by the collector of S. Kanara may be approved and the ~~publication of the~~ draft notification under section 4(1) of the Land Acquisition Act ~~may be published through it involves certain class III wet lands to the extent~~

Orders may be taken in circulation.

In 2-2-49

The Collector's recommendations may be approved.

Z

The remarks of ~~Dev. and~~ Rev. may be invited U.O. prior to circulation.

24/1/49

In 2-2-49

S/Rev

20/1/49.

Asst

25-1-49

E & P.H U.O. No. 72818 B1/48-2 Edn. 3/2/49.

pp17-18 C7

ADDITIONAL ASST. SECRETARY TO GOVERNMENT 6727 4-FEB-49 REVENUE DEPARTMENT

To AS

Please see notes from P1 ante

Rev. Dept.

In the circumstances reported by the Collr. this Dept. has no objection to the acquisition of the wet lands. The file may be returned to E & P.H and they may be requested to circulate the file to Hfs. also

9-2-49

Kd

9

12-2-49

At the outset we are required for use as a playground for the school & as it is reported that there are no other dry lands in the vicinity which can be used as a playground, the acqn of wet lands in this case need not be objected to

12/2/49 D.S.

15/2/49

E & P.H

E & P.H

EPH 11041 16 FEB 1949

E & P.H: (B1)

Rev U.O. 6727 F/48-1

15/2/49

The notes from page 1 ante may be perused.

In the circumstances reported by the collector, Rev. Deptt do not object to the proposal of for the acquisition of certain class III wet lands (1·78 acres) required for use as the play-ground for the Capitanio Secondary and Training School, Kankanady, South Kanara District. The file may be circulated to H.M (Edn), H.M. (Ind) and H Pr. for orders whether the recommendation of the collector of South Kanara, to permit the acquisition of 1·78 acres of class III wet lands, may be accepted

Sd 17/2/49. 21-2-49 S 21/2/49

24 MAR 1949

ISA 27.2.49 C.P.R 24/3 28/2

E&PH(B1)

A draft order is submitted below for approval. Revenue may see.

25/2/49 Rev

To h.S. RD

The previous notes of this deptt on P 2 above, and the subsequent notes of E&P.H. above and the draft order below may be perused and the file returned to E&P.H.

1/4/45

E&P.H.(B1). C.C. 72818/48 26-3-49.

26557 07 APR 1949

Rev. No 18683/49 4.4.49

h.h. EPH 1 — 5/4/49